

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JULIET RENEE COTTON,
Petitioner,

VS.

JOE KEFFER, Warden,
FMC-Carswell,
Respondent.

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CIVIL ACTION NO.4:12-CV-236-Y

ORDER ADOPTING
MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS
(With special instructions to the clerk of Court)

In this action brought by petitioner Juliet Renee Cotton under 28 U.S.C. § 2241, the Court has made an independent review of the following matters in the above-styled and numbered cause:

1. The pleadings and record;
2. The proposed findings, conclusions, and recommendation of the United States magistrate judge filed on August 17, 2012; and
3. The petitioner's written objections to the proposed findings, conclusions, and recommendation of the United States magistrate judge filed on September 6, 2012.

The Court, after **de novo** review, concludes that the Petitioner's objections must be overruled, and the petition for writ of habeas corpus under 28 U.S.C. § 2241 should be denied, in part, and dismissed in part, for the reasons stated in the magistrate judge's findings and conclusions.¹

¹Several motions are pending. Cotton's July 16, 2012 motion to extend time to file a response (doc. 16) is GRANTED to the extent the Court has considered Cotton's July 30, 2012 response/reply to Keffer's response to her petition for writ of habeas corpus. Cotton's August 2, 2012 motion to compel the Bureau of Prisons to correct her sentencing records (doc. 18), and her August 21, 2012 motion to supplement her objection to Keffer's response (doc. 22), are DENIED for the reasons stated in Keffer's August 6, 2012 response to Cotton's request that records be corrected. As noted therein, the mistaken listing of Cotton's conviction history in the background section of Keffer's response to the petition for writ of habeas corpus had no bearing on this Court's review and decision in this case. Cotton's September 6, 2012 motion for leave to proceed in forma pauperis in order to receive a copy of the docket sheet (doc. 25) is GRANTED such that the clerk of Court is directed to send Cotton a copy of the docket sheet for this case.

Therefore, the findings, conclusions, and recommendation of the magistrate judge are ADOPTED.

Juliet Renee Cotton's petition for writ of habeas corpus ground one--that she was denied due process of law during the administrative appeal process from the decision of a disciplinary hearing officer because officials failed to investigate her claim as required by Program Statement 1330.16--is DENIED, and the petition for writ of habeas corpus grounds two and three--that the requirement that Cotton stand for a 9:30 p.m. count constitutes cruel and unusual punishment, and that officials have failed to ensure that the 9:30 p.m. count is timely completed--are DISMISSED.

SIGNED September 19, 2012.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE